

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

COMPASS, INC. and COMPASS RE NY, LLC,

Plaintiffs,

-v-

REAL ESTATE BOARD OF NEW YORK, INC.,

Defendant.

Case No. 1:21-CV-02195-AJN

**ORAL ARGUMENT
REQUESTED**

NOTICE OF MOTION TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE that Defendant Real Estate Board of New York, Inc. hereby moves this Court for entry of an Order dismissing the Complaint (ECF 1) filed by Plaintiffs Compass, Inc. and Compass RE NY, LLC for failure to state a claim upon which relief can be granted under Federal Rule of Civil Procedure 12(b)(6) and for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1). The grounds for this motion are set forth in the accompanying Memorandum of Law in Support of Its Motion to Dismiss the Complaint, the accompanying Declaration of Claude G. Szyfer, and the exhibits annexed thereto.

Dated: May 18, 2021

Respectfully submitted,

/s/ Claude G. Szyfer

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CERTIFICATE OF SERVICE

I certify that on May 18, 2021, a true and correct copy of the foregoing was filed with the Court's electronic case filing (ECF) system, which caused an electronic copy of this document to be served on all counsel of record in this matter who have registered for ECF service.

By: /s/ Claude G. Szyfer
Claude G. Szyfer